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August 12, 2005

## VIA HAND DELIVERY

Director Pat Miller Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, TN 37238

Re: BellSouth Tariff to Introduce Transit Traffic Service (No 04-01259)

Docket No. 04-00380

## Dear Director Miller:

The parties are happy to report that we have reached an agreement to hold this matter in abeyance pending the resolution of the ICOs planned appeal of certain aspects of the ICO CMRS Arbitration Order. It has become apparent to the parties, that many of the issues presented in this docket may not be capable of final resolution until questions regarding the Arbitration Order have been submitted for appellate review.

In the interest of preserving administrative resources, the parties believe it would be best to wait to address the matters presented in this docket until after the resolution of the planned appeal in the arbitration docket. To facilitate this delay, the parties have agreed that BellSouth may continue to hold the amounts it has already collected for transit charges to date, however BellSouth will cease further collections until the ICO's planned appeal is completed and this matter can be brought back before the TRA. At the conclusion of this matter, the parties agree that a true up shall proceed including all amounts back to the effective date of the tariff, including the amounts being held by BellSouth. This process will be undertaken under the supervision of the TRA in this docket.

The parties believe that this agreement will provide for the most orderly resolution of these issues without subjecting the ICOs to further collection pending resolution of these issues. For the foregoing reasons, we ask that this matter be held in

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abeyance until the parties report that the appeal has concluded or has not been timely taken.

Respectfully,

Joelle Phillips

BellSouth Telecommunications, Inc.

William T. Ramsey

Coalition

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JJP:nc